

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2025

H.B. 774
Apr 3, 2025
HOUSE PRINCIPAL CLERK

H

D

HOUSE BILL DRH10364-NHa-151

Short Title: School Breakfast for All. (Public)

Sponsors: Representative Biggs.

Referred to:

A BILL TO BE ENTITLED
AN ACT TO PROVIDE BREAKFAST TO PUBLIC SCHOOL STUDENTS AT NO COST TO
THE STUDENTS AND TO ESTABLISH THE FARM-TO-TABLE INITIATIVE.

Whereas, one in five kids goes hungry every day in North Carolina, putting them at risk of poor health and educational outcomes; and

Whereas, hunger negatively impacts a child's ability to learn, concentrate, and perform well in school; and

Whereas, research shows that students who eat a nutritious breakfast demonstrate higher academic achievement, improved behavior, and increased school attendance; and

Whereas, the economic benefits of school breakfast at no cost to the student and family include reduced absenteeism, lower healthcare costs, and long-term workforce productivity; and

Whereas, North Carolina is home to a rich agricultural industry, and sourcing locally grown fruits, vegetables, dairy, and proteins for school meals stimulates economic growth in rural communities; and

Whereas, partnerships between schools, farmers, and food distributors create new market opportunities for North Carolina's agricultural sector while ensuring students receive nutritious meals; and

Whereas, funding and policy support within School Breakfast for All legislation would align with North Carolina's goals for economic sustainability, public health, and student success; Now, therefore,

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 115C-263(a) reads as rewritten:

"(a) As a part of the function of the public school system, ~~local boards of education~~ public school units shall have a school food authority to provide to the extent practicable school nutrition services in the schools under their jurisdiction. The school food authority shall provide breakfast service at no cost to students in accordance with G.S. 115C-263.5 and may offer other nutrition services to the extent practicable. All school nutrition services made available under this authority shall be provided in accordance with federal guidelines established by the Food and Nutrition Service of the United States Department of Agriculture."

SECTION 1.(b) Part 2 of Article 17 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-263.5. Universal breakfast program.

(a) To the extent funds are made available for the purpose, the Department of Public Instruction shall allocate sufficient funds to public schools to provide breakfast at no cost to students attending the school in prekindergarten through grade 12 who elect to receive breakfast.



* D R H 1 0 3 6 4 - N H A - 1 5 1 *

State and federal reimbursements for the universal breakfast program shall not exceed one hundred percent (100%) of the federal free rate of meals served. These funds shall supplement and not supplant any federal funds provided for the same purposes.

(b) Schools are encouraged to implement innovative breakfast service models, including breakfast in the classroom, grab-and-go breakfast, and second chance breakfast.

(c) No later than February 15 of each year that funds are made available for purposes of this section, the Department of Public Instruction shall report to the Joint Legislative Education Oversight Committee, at a minimum, on participation rates, costs, and program effectiveness as measured by impact on student health, academic performance, and overall school participation."

SECTION 1.(c) G.S. 115C-264 reads as rewritten:

"§ 115C-264. Operation.

(a) Local boards of education operating school nutrition programs shall participate in the federal School Breakfast Program, National School Lunch Program ~~established by the federal government~~, and, if eligible, the Community Eligibility Provision Program. School nutrition programs shall be under the jurisdiction of the Division of School Nutrition of the Department of Public Instruction.

...

(c) All school nutrition services shall be operated on a nonprofit basis, and any earnings therefrom over and above the cost of operation as defined herein shall be used to reduce the cost of food, to serve more nutritious food, or to provide free or reduced-price meals ~~to economically disadvantaged children~~ and for no other purpose. The term "cost of operation" means the actual cost incurred in the purchase and preparation of food, the salaries of all personnel directly engaged in providing nutrition services, and the cost of nonfood supplies as outlined under standards adopted by the State Board of Education. "Personnel" means school nutrition supervisors or directors, bookkeepers or other staff directly engaged in nutrition services record keeping, and those persons directly involved in preparing and serving food. School nutrition personnel shall be paid from the funds of the school nutrition program only for services rendered on behalf of the school nutrition program. Any cost incurred in the provisions and maintenance of school nutrition services over and beyond the cost of operation shall be included in the budget request filed annually by local boards of education with boards of county commissioners. Local boards of education are not required to comply with G.S. 115C-522(a) in the purchase of supplies and food for such school nutrition services.

...."

SECTION 1.(d) Part 2 of Article 17 of Chapter 115C of the General Statutes is amended by adding a new section to read:

"§ 115C-264.6. Farm-to-table initiative.

(a) The Department of Public Instruction shall develop a farm-to-table initiative to incorporate locally sourced and fresh ingredients into the universal breakfast program under G.S. 115C-263.5.

(b) Schools shall be encouraged to partner with local farmers and food producers to procure fresh, seasonal, and nutritional food options.

(c) The initiative shall provide education opportunities for students to learn about agriculture, nutrition, and sustainable food systems."

SECTION 2.(a) G.S. 115C-150.14 is amended by adding a new subsection to read:

"(a1) A school governed by this Article shall provide school nutrition services in accordance with Part 2 of Article 17 of this Chapter."

SECTION 2.(b) G.S. 115C-218.75 is amended by adding a new subsection to read:

"(p) A charter school shall provide school nutrition services in accordance with Part 2 of Article 17 of this Chapter."

SECTION 2.(c) G.S. 115C-238.72(b) reads as rewritten:

1 "(b) ~~Food Nutrition~~ Service. – The local school administrative unit identified by resolution
2 shall ~~provide, to the extent practicable, school food~~ provide school nutrition services to the
3 regional ~~school~~, school in accordance with Part 2 of Article 17 of this Chapter. For purposes of
4 federal funding through the National School Lunch Program or other federally supported ~~food~~
5 nutrition service programs, the local school administrative unit identified by resolution shall be
6 permitted to include eligible students enrolled in the regional school. Other participating units
7 shall not include students enrolled in the regional school for purposes of federally supported ~~food~~
8 nutrition service programs."

9 **SECTION 2.(d)** G.S. 116-239.8(b)(4)c. reads as rewritten:

10 "c. ~~Food Nutrition~~ services. – The laboratory school shall strive to ensure
11 that one hundred percent (100%) muscadine grape juice is made
12 available to students as a part of the school's nutrition program or
13 through the operation of the school's vending facilities. Laboratory
14 schools shall provide school nutrition services in accordance with Part
15 2 of Article 17 of Chapter 115C of the General Statutes. Upon request,
16 the local school administrative unit in which the laboratory school is
17 located shall administer the National School Lunch Program for the
18 laboratory ~~school in accordance with G.S. 115C-264.school.~~"

19 **SECTION 3.** There is appropriated from the General Fund to the Department of
20 Public Instruction the sum of thirty-nine million dollars (\$39,000,000) in recurring funds for the
21 2025-2026 fiscal year, thirty-four million dollars (\$34,000,000) of which shall be allocated to
22 public school units to provide a universal breakfast program as required under G.S. 115C-263.5,
23 as enacted by this act, and five million dollars (\$5,000,000) of which shall be allocated to public
24 school units to support farm-to-table initiatives pursuant to G.S. 115C-264.6, as enacted by this
25 act.

26 **SECTION 4.** This act becomes effective July 1, 2025, and applies beginning with
27 the 2025-2026 school year.